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Paper No. 10

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JUL 08 2003

OFFICE OF PETITIONS

In re Application of :
Jung Sheng Ku :
Application No. 09/863,916 : DECISION GRANTING PETITION
Filed: May 21, 2001 : UNDER 37 CFR 1.137(b)
For: FUSE HOLDING AND SECURING :
ASSEMBLY :

This is a decision on the petition under 37 CFR 1.137(b),
filed June 24, 2003, to revive the above-identified
application.

The petition is granted.

As noted in the decision mailed May 2, 2003, this
application became abandoned for failure to timely reply to
the nonfinal Office action mailed November 5, 2001, which
set a three month shortened statutory period within which to
file a reply. No extensions of time pursuant to 37 CFR
1.137(b) were obtained. Accordingly, the date of
abandonment of this application is February 6, 2002.

The petition satisfies the conditions for revival pursuant to the
provisions of 37 CFR 1.137(b) in that (1) the reply to the
outstanding Office action of November 5, 2001; (2) the petition
fee; and (3) the required statement of unintentional delay have
been received. Accordingly, the reply to the nonfinal Office
action of November 5, 2001 is accepted as having been
unintentionally delayed.

It is noted that petitioner herein, who is also the inventor, has
signed correspondence as president of assignee, Glorytech
Technology Co., Ltd. Petitioner is advised that any
correspondence signed on behalf of an assignee must comply with
the provisions of 37 CFR 3.73(b). 37 CFR 3.73(b) provides that:

(1) when an assignee seeks to take action in a matter before the Office, the assignee must establish its ownership of the property to the satisfaction of the Commissioner; (2) ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office; (3) the submission establishing ownership must be signed by a party authorized to act on behalf of the assignee; and (4) documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office. A Certificate Under 37 CFR 3.73(b) accompanies this decision on petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 305-8680.

The application file is being forwarded to Technology Center AU 2833 for appropriate action on the "Amendment and Reply" received July 3, 2002.


Frances Hicks

Lead Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Attachment: Certificate Under 37 CFR 3.73(b)